

Docket No.
1035-00

Declaration and Power of Attorney For Patent Application

English Language Declaration

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

"METHOD FOR DETECTING TIME-DEPENDENT MODES OF DYNAMIC SYSTEMS"

the specification of which

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(check one)

OCT 2 9 2004

☐ is attached hereto.

Technology Center 2100

☒ was filed on September 11, 1998 as United States Application No. or PCT International Application Number PCT/EP98/05793 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | | | Priority Not Claimed |
|------------------------------|-----------------------------|-----------------------------|--------------------------|
| <u>197 40 565.7</u> | <u>Germany</u> | <u>15.09.1997</u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u> </u> | <u> </u> | <u> </u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u> </u> | <u> </u> | <u> </u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

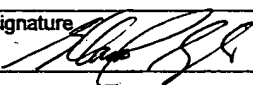
| | | | |
|------------------------|----------------|-------------------|----------------|
| Austin R. Miller | Reg.No. 16,602 | Kevin J. Boland | Reg.No. 36,090 |
| T. Daniel Christenbury | Reg.No. 31,750 | Joan T. Kluger | Reg.No. 38,940 |
| Frank A. Cona | Reg.No. 38,412 | James A. Drohile | Reg.No. 19,690 |
| David A. Sasso | Reg.No. 43,084 | Armando A. Flores | Reg.No. 41,754 |
| Patrick J. Farley | Reg.No. 42,524 | | |

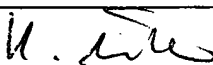
Schnader, Harrison, Segal & Lewis
36th Floor
1600 Market Street
Philadelphia, PA 19103 (USA)

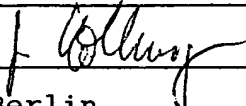
Send Correspondence to:

Direct Telephone calls to Attorney indicated
on Paper:
T. Daniel Christenbury (215) 563-1810

Direct Telephone Calls to: (name and telephone number)

| | | |
|-------------------------------------|---|--------------------------------------|
| Full name of sole or first inventor | Klaus Pawelzik | |
| Sole or first inventor's signature |  | Date March 5 th , 2000 |
| Residence | Bremen | |
| Citizenship | German | |
| Post Office Address | Prager Straße 20 | |
| | D-27568 Bremen (Germany) | |

| | | |
|--------------------------------------|---|------------------------------------|
| Full name of second inventor, if any | Klaus-Robert Müller | |
| Second inventor's signature |  | Date Feb. 13 th 2000 |
| Residence | Berlin | |
| Citizenship | German | |
| Post Office Address | Fregestraße 7a | |
| | D-12159 Berlin (Germany) | |

| | | |
|-------------------------------------|---|------------------------------|
| Full name of third inventor, if any | Jens Kohlmorgen | |
| Third inventor's signature |  | Date <i>March 13th, 2000</i> |
| Residence | Berlin | |
| Citizenship | German | |
| Post Office Address | NEW: Kantstraße 31 WARSCHAUER STRASSE 75 A | |
| | D-10243 D-10625 Berlin (Germany) | |

| | |
|--------------------------------------|------|
| Full name of fourth inventor, if any | |
| Fourth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

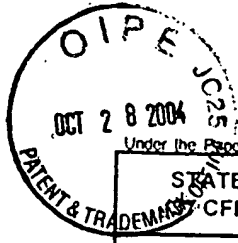
| | |
|-------------------------------------|------|
| Full name of fifth inventor, if any | |
| Fifth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

| | |
|-------------------------------------|------|
| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |



| | | |
|--|--|---|
| STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION | | Docket Number (Optional) 1035-00 |
| Applicant, Patentee, or Identifier: <u>Klaus Pawelzik et al.</u> | | |
| Application or Patent No.: _____ | | |
| Filed or Issued: _____ | | |
| Title: <u>Modes for detecting time-dependent modes of dynamic systems</u> | | |
| I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below: NAME OF NONPROFIT ORGANIZATION <u>Max-Planck-Gesellschaft zur Förderung</u> ADDRESS OF NONPROFIT ORGANIZATION <u>der Wissenschaften e.V.</u> <u>Hofgartenstraße 8, D-80539 München (Germany)</u> | | |
| TYPE OF NONPROFIT ORGANIZATION: <input type="checkbox"/> UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION <input type="checkbox"/> TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) <input type="checkbox"/> NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____) <input type="checkbox"/> WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA <input checked="" type="checkbox"/> WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____) | | RECEIVED OCT 2 9 2004 Technology Center 2100 |
| I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in: <input type="checkbox"/> the specification filed herewith with title as listed above. <input type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above. I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). Each person, concern, or organization having any rights in the invention is listed below: <input type="checkbox"/> no such person, concern, or organization exists. <input type="checkbox"/> each such person, concern, or organization is listed below. I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) | | |
| NAME OF PERSON SIGNING <u>Christa Herzog</u> | | |
| TITLE IN ORGANIZATION OF PERSON SIGNING <u>Head of patent department</u> | | |
| ADDRESS OF PERSON SIGNING <u>Hofgartenstr. 8, 80539 München</u> | | |
| SIGNATURE <u>Christa Herzog</u> DATE <u>2.3.2000</u> | | |

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PTO/SB/11 (12-97)
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Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | |
|---|-------------------------------------|
| STATEMENT CLAIMING SMALL ENTITY STATUS 37 CFR 1.9(f) & 1.27(d) - NONPROFIT ORGANIZATION | Docket Number (Optional) 1035-00 |
|---|-------------------------------------|

Applicant, Patentee, or Identifier: Klaus Pawelzik et al.
Application or Patent No.: _____
Filed or Issued: _____
Title: Modes for detecting time-dependent modes of dynamic systems

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:
NAME OF NONPROFIT ORGANIZATION GMD - Forschungszentrum
ADDRESS OF NONPROFIT ORGANIZATION Informationstechnik GmbH
Schloß Birlinghoven, D-Sankt Augustin (Germany)

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TYPE OF NONPROFIT ORGANIZATION:

☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
IF LOCATED IN THE UNITED STATES OF AMERICA

☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

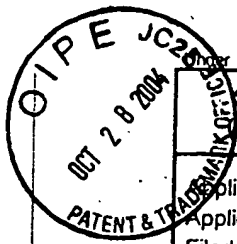
Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Prof. Dr. D. Tschritzis, Dr. H.-G. Sundermann
TITLE IN ORGANIZATION OF PERSON SIGNING Chairman/Vice Chairman of the Executive Board
ADDRESS OF PERSON SIGNING GMD, Schloss Birlinghoven 53754 St. Augustin, Germany
SIGNATURE [Signature] DATE 28. Februar 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



STATEMENT CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) & 1.27(d)—NONPROFIT ORGANIZATION

Docket Number (Optional)
1035-00

Applicant, Patentee, or Identifier: Klaus Pawelzik et al.

Application or Patent No.: _____

Filed or Issued: _____

Title: Modes for detecting time-dependent modes of dynamic systems

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Max-Planck-Gesellschaft zur Förderung

ADDRESS OF NONPROFIT ORGANIZATION der Wissenschaften e.V.

Hofgartenstraße 8, D-80539 München (Germany)

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TYPE OF NONPROFIT ORGANIZATION:

☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

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(CITATION OF STATUTE _____)

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☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
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(CITATION OF STATUTE _____)

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- ☐ the application identified above.
- ☐ the patent identified above.

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Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

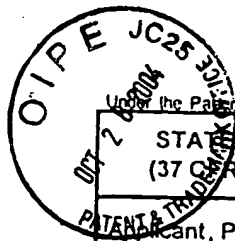
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Christa Herzog

TITLE IN ORGANIZATION OF PERSON SIGNING Head of patent department

ADDRESS OF PERSON SIGNING Hofgartenstr. 8, 80539 München

SIGNATURE Christa Herzog DATE 2.3.2000



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))—NONPROFIT ORGANIZATION

Docket Number (Optional)
1035-00

Applicant, Patentee, or Identifier: Klaus Pawelzik et al.

Application or Patent No.: _____

Filed or Issued: _____

Title: Modes for detecting time-dependent modes of dynamic systems

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NAME OF NONPROFIT ORGANIZATION GMD - Forschungszentrum

ADDRESS OF NONPROFIT ORGANIZATION Informationstechnik GmbH
Schloß Birlinghoven, D-Sankt Augustin (Germany)

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(NAME OF STATE _____)
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IF LOCATED IN THE UNITED STATES OF AMERICA

☒ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

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- ☐ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Prof. Dr. D. Tschritzis, Dr. H.-G. Sundermann

TITLE IN ORGANIZATION OF PERSON SIGNING Chairman/Vice Chairman of the Executive Board

ADDRESS OF PERSON SIGNING GMD Schloss Birlinghoven 53754 St. Augustin, Germany

SIGNATURE [Signature] DATE 28. Februar 2000

1035-00

REGISTRATION FORM COVER SHEET
PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Klaus Pawelzik, Klaus-Robert Müller and Jens
KohlmorgenAdditional name(s) of conveying party(ies) attached? ☐ Yes☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger☐ Security Agreement ☐ Change of Name☐ Other _____Execution Date: March 9, 2000, March 13, 2000 and March
13, 2000, respectively

2. Name and address of receiving party(ies):

Max-Planck-Gesellschaft zur Förderung der
Wissenschaften e.V., a corporation of Germany,
Hofgartenstraße 8, D-80539, München, Germany andGMD - Forschungszentrum Informationstechnik
GmbH, a corporation of Germany, Schloß
Birlinghoven, D-53754 Sankt Augustin, GermanyAdditional name(s) and address(es) attached? ☐ Yes ☒ No

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4. Application number(s) or patent number(s):

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If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) 09/508,042 filed March 3, 2000

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence
concerning document should be mailed:IP Department
Schnader Harrison Segal & Lewis
1600 Market Street, 36th Floor
Philadelphia, PA 19103

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit Account No. 13-3405

(Attach duplicate copy of this page if paying by deposit
account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy
of the original document.

T. Daniel Christenbury

Name of Person Signing

Signature

Date

28 APR 2000

Total number of pages including cover sheet, attachments and document: 3

114472 W

Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)

Docket No.
1035-00

This is an Assignment of the following rights, title and interest: (check all that apply):

☒ United States of America rights, title and interest in the invention

☐ Foreign rights, title and interest in the invention

☒ United States Patent Application Serial No. 09/508,042

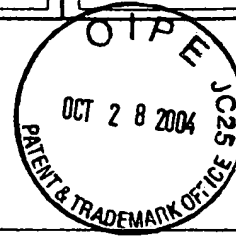
Date of Execution: 03/09/00, 03/13/00 Date of Filing: March 3, 2000

☐ United States Provisional Patent Application Serial No.

☐ United States Patent No(s).

☒ International (PCT) Patent Application Serial No. PCT/EP98/05793

☐ Other (specify)



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Title of the Invention

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METHOD

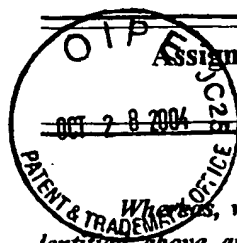
"MODES FOR DETECTING TIME-DEPENDENT MODES OF DYNAMIC SYSTEMS"

Inventors (assignors)

| Name | Address |
|---------------------|--|
| Klaus Pawelzik | Prager Straße 20 D-27568 Bremen (Germany) |
| Klaus-Robert Müller | Fregestraße 7a D-12159 Berlin (Germany) |
| Jens Kohlmorgen | Kantstraße 31 WARSCHAUER STR. 75 A D-10625 Berlin (Germany) D-10243 |
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| | |

Assignee

| Name | Address |
|---|---|
| Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V. GMD - Forschungszentrum Informationstechnik GmbH | Hofgartenstraße 8 D-80539 München (Germany) Schloß Birlinghoven D-53754 Sankt Augustin (Germany) |



**Assignment of Rights, Title and Interest in Invention
(Multiple inventors; single assignee)**

Docket No.
1035-00

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified assignee;

Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

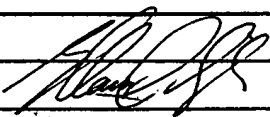
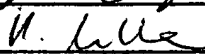
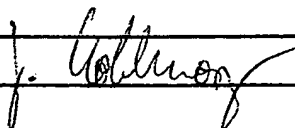
We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its designee(s) may from time to time require and prepare at its own expense.

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Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)

| Name | Signature/Date |
|---------------------|---|
| Klaus Pawelzik |  March 8 th 2000 |
| Klaus-Robert Müller |  March 17 th 2000 |
| Jens Kohlmorgen |  March 13 th 2000 |
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